

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MICHAEL SHAVERS,

Petitioner,

Case Number: 04-74804

v.

JUDGE PAUL D. BORMAN
UNITED STATES DISTRICT COURT

KENNETH MCKEE,

Respondent.

_____ /

**ORDER DENYING PETITIONER'S MOTION FOR CERTIFICATE OF
APPEALABILITY (DOCK. NO. 49)**

Now before the Court is Petitioner's Motion for Certificate of Appealability. On June 30, 2006, the Court issued an Opinion and Order (1) Denying Petition for Writ of Habeas Corpus; and (2) Declining to issue Certificate of Appealability. Regarding the certificate of appealability, the Court concluded that reasonable jurists would not find the Court's assessment of Petitioner's claims to be debatable or wrong.

Accordingly, since the Court has already ruled on the certificate of appealability issue, Petitioner's Motion for Certificate of Appealability is **DENIED**.

SO ORDERED.

s/Paul D. Borman

PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: February 15, 2007

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on February 15, 2007.

s/Denise Goodine

Case Manager